

PCT**INTERNATIONAL SEARCH REPORT**

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference NO 7380/WO/PCT	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/EP 03/08745	International filing date (day/month/year) 07/08/2003	(Earliest) Priority Date (day/month/year) 04/09/2002
Applicant NESTEC S.A.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C11B1/10 C11B1/06 A23D9/00 C12P7/64 A23L1/30
A23K1/16 A23C 4

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C11B A23D C12P A23L A23K A23C

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, FSTA, BIOSIS, MEDLINE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P, X	EP 1 239 022 A (NESTLE SA) 11 September 2002 (2002-09-11) the whole document -----	1-17
X	EP 1 178 118 A (DSM NV) 6 February 2002 (2002-02-06) paragraphs '0002!', '0005!', '0006!', '0008! - '0014!', '0016!', '0024!', '0026!', '0027!; claims 1-7 -----	1-17
X	WO 97/37032 A (WOLF JOHANNES HENDRIK ;SCHAAP ALBERT (NL); BIJL HENDRIK LOUIS (NL)) 9 October 1997 (1997-10-09) cited in the application	11-17
A	page 13, line 19 - page 14, line 27; claims; examples 16,17,19 ----- -/--	1-10

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

Date of the actual completion of the international search

17 December 2003

Date of mailing of the international search report

29/12/2003

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Vernier, F

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category ° Citation of document, with indication where appropriate, of the relevant passages Relevant to claim No.

X

DATABASE WPI
Section Ch, Week 198426
Derwent Publications Ltd., London, GB;
Class C03, AN 1984-164291
XP002175534
& SU 1 049 431 A (PLANT PHYSIOL INST)
23 October 1983 (1983-10-23)
abstract

17

A

WO 92/12086 A (GERBER GARMENT TECHNOLOGY
INC) 23 July 1992 (1992-07-23)
the whole document

1-17

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
EP 1239022	A	11-09-2002	EP 1239022 A1	11-09-2002
			CA 2438601 A1	19-09-2002
			WO 02072742 A1	19-09-2002
			NO 20033894 A	03-09-2003
<hr/>				
EP 1178118	A	06-02-2002	EP 1178118 A1	06-02-2002
			AU 9371101 A	13-02-2002
			BR 0112942 A	08-07-2003
			CA 2417571 A1	07-02-2002
			CN 1447860 T	08-10-2003
			WO 0210423 A2	07-02-2002
			EP 1305440 A2	02-05-2003
			NO 20030510 A	31-03-2003
<hr/>				
WO 9737032	A	09-10-1997	AU 731785 B2	05-04-2001
			AU 2159297 A	22-10-1997
			CA 2250581 A1	09-10-1997
			CN 1217029 A	19-05-1999
			WO 9737032 A2	09-10-1997
			EP 0894142 A2	03-02-1999
			ID 16504 A	02-10-1997
			JP 2000508888 T	18-07-2000
			US 2001025114 A1	27-09-2001
			US 6255505 B1	03-07-2001
			ZA 9702702 A	27-03-1998
			AT 249514 T	15-09-2003
			AU 733734 B2	24-05-2001
			AU 2505097 A	22-10-1997
			CA 2250575 A1	09-10-1997
			CN 1226923 A	25-08-1999
			DE 69724782 D1	16-10-2003
			WO 9736996 A2	09-10-1997
			EP 1369474 A1	10-12-2003
			EP 0906414 A2	07-04-1999
			ID 16503 A	02-10-1997
			JP 2002502233 T	22-01-2002
			US 2003143659 A1	31-07-2003
			ZA 9702706 A	22-10-1997
<hr/>				
SU 1049431	A	23-10-1983	SU 1049431 A1	23-10-1983
<hr/>				
WO 9212086	A	23-07-1992	EP 0566649 A1	27-10-1993
			JP 2525109 B2	14-08-1996
			JP 5509066 T	16-12-1993
			WO 9212086 A1	23-07-1992
			US 5256238 A	26-10-1993